



AF/2833
Attorney Docket No. 051481-5069
Application No. 09/893,524

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul D. PERRY et al.

Application No.: 09/893,524

Filed: 29 June 2001

For: APPARATUS AND METHOD FOR PREVENTING
SOLDERING MATERIAL MIGRATION

Confirmation No: 2982

Group Art Unit: 2833

Examiner: Gushi, R

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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**NOTICE OF APPEAL TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner dated 28 March 2003, the period for replying to which has been extended three-months through 29 September 2003, rejecting the following claims: **1-4 and 14-18.**

1. **Extension of Time**

- [x] Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total Months Requested	Fee for Extension	[Fee for Small Entity]
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 410.00	\$205.00
[x] three months	\$ 930.00	\$465.00
[] four months	\$1,450.00	\$725.00

- [] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

- [x] The Commissioner is authorized to charge necessary fees for such extension of time to Deposit Account No. 50-0310. The amount is **\$930.00.**

- [] The fee in the amount of \$_____ is enclosed.

2. **Notice of Appeal Fee - 37 C.F.R. § 1.17(b)**

- ☐ The fee in the amount of \$310.00 to cover the appeal fee is enclosed.
- ☒ The Commissioner is authorized to charge the notice of appeal fee to Deposit Account No. 50-0310. The amount is \$320.00.

3. **Fee Total(s):**


- ☒ The Notice of Appeal Fee Under 37 C.F.R. § 1.17(b) of \$320.00 with a three-month Extension of Time Fee of \$930.00, totaling \$1,250.00, is being charged to Deposit Account No. 50-0310.

4. **Constructive Petition**

- ☒ **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 136(a)(3).

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: 29 September 2003

By: 
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